

commitment to the President of the executive power, the power to conduct the Nation's foreign affairs, and the authority as Commander in Chief.

The executive branch shall construe as advisory provisions of the Act that purport to regulate the means by which the President obtains recommendations or information from subordinates in the executive branch, as is consistent with the constitutional commitment to the President of authority to supervise the unitary executive branch and to require the opinions of principal officers of executive departments. Such provisions include sections 103A(a), 103B(d), 106, 119(h), and 101A of the National Security Act of 1947, as amended by sections 1011, 1014, 1021, and 1031 of the Act.

The executive branch shall construe as advisory provisions of the Act that purport to require the conduct of negotiations with a foreign government or otherwise direct or burden the President's conduct of foreign relations, including sections 4026, 4072(c)(2), 5301 to the extent it involves foreign diplomats and other foreign officials, 7116, 7204, 7210, 7217, 7303(c), and 7703, and sections 104(d) and 206(d)(1) of the Afghanistan Freedom Support Act as amended by section 7104. Further, the executive branch shall construe section 6(j)(5) of the Export Administration Act of 1979 as amended by section 7102(c) of the Act, to identify a non-exclusive factor for the Secretary of State to consider in his discretion in making determinations under subsection 6(j), as is consistent with the use of the non-exclusive term "include" in the provision and the congressional decision reflected in the text of the statute to afford the President substantial latitude in implementation of the provision.

The executive branch shall construe provisions of the Act that relate to race, ethnicity, or gender in a manner consistent with the requirement that the Federal Government afford equal protection of the laws under the Due Process Clause of the Fifth Amendment to the Constitution.

George W. Bush

The White House,
December 17, 2004.

NOTE: S. 2845, approved December 17, was assigned Public Law No. 108-458. An original was not available for verification of the content of this statement. This item was not received in time for publication in the appropriate issue.

Letter to Congressional Leaders Transmitting the "U.S. Ocean Action Plan"

December 17, 2004

Dear Mr. Speaker: (Dear Mr. President:)

Consistent with section 4 of the Oceans Act of 2000 (Public Law 106-256; 33 U.S.C. 857-19), I transmit herewith the "U.S. Ocean Action Plan," a report and statement of proposals prepared by the Council on Environmental Quality in response to the Commission on Ocean Policy's final recommendations.

Sincerely,

George W. Bush

NOTE: Identical letters were sent to J. Dennis Hastert, Speaker of the House of Representatives, and Richard B. Cheney, President of the Senate. This item was not received in time for publication in the appropriate issue.

The President's Radio Address

December 18, 2004

Good morning. This week my administration hosted an important conference on America's economic future. We heard from businessowners, workers, economists, and many other Americans who are seeing hopeful signs throughout our country. Our economy has come through a lot these past 4 years, and now our people are benefiting from solid economic growth, steady gains in new jobs, record homeownership, and rising family incomes.

We also discussed some of the fundamental challenges facing our economy, from junk lawsuits and burdensome regulation to the complicated Tax Code to the need for vital reforms in education, health care, and entitlements. I will work with members of both political parties to confront these problems so we can keep our economy flexible, innovative, and competitive, and so America

remains the best place in the world to do business.

Excessive litigation is one of the biggest obstacles to economic growth. The tort system now costs America's economy more than \$230 billion a year, and no other country faces a greater burden from junk lawsuits. Our litigious society deters job creation and consumes billions of dollars that could be better spent on investment and expansion. Frivolous lawsuits put American workers at a competitive disadvantage in the global economy and have a devastating impact on the medical community. When Congress convenes next year, the House and Senate need to pass sound reforms on our medical liability, class action, and asbestos litigation systems.

Another challenge in our economy is the rising cost of health care. More than a half of all uninsured Americans are small-business employees and their families. And while many businessowners want to provide health care for their workers, they just can't afford the high cost. To help more Americans get care, we need to expand tax-free health savings accounts, which are already making a difference for small businesses and families. We should encourage health information technology that minimizes error and controls costs. And Congress must allow small firms to join together and buy health insurance at the same discounts big companies get.

To grow their businesses and create jobs, small-business owners also need relief from excessive taxes and regulation. The tax relief we passed has been critical to our economic recovery, and Congress needs to make that tax relief permanent. We also need to reform our complicated Tax Code to encourage investment and growth and reduce headache for taxpayers. And to promote innovation in hiring, we must lift the burden of needless Federal regulation on hard-working entrepreneurs.

As our businesses create advanced, high-paying jobs, we must ensure that workers have the education and skills to fill those jobs. We've made a good start with the No Child Left Behind Act, which is already helping students make progress in the early grades. Now we need to bring high standards and accountability to high schools and make sure

job-training programs prepare workers for the innovative jobs of the 21st century.

To help our young people, we must also fix the long-term problems in the Social Security system. Workers in their mid-twenties today will find Social Security bankrupt when they retire, unless we act to save it. As we reform and strengthen the system, we will deliver all the benefits owed to current and near retirees. We must not increase payroll taxes, and we must tap into the power of markets and compound interest by giving younger workers the option of saving some of their payroll taxes in a personal investment account, a nest egg they can call their own, which the Government can never take away.

The week's conference provided a good opportunity to discuss our economic challenges with Americans from many backgrounds and to set the issues clearly before Congress. I'm open to good ideas from Democrats and Republicans. I will work with any who shares our goal of strengthening the economy. But I will not ignore these challenges and leave them to another day. We have a duty to the American people to act on these issues, and we will get results.

Thank you for listening.

NOTE: The address was recorded at 7:44 a.m. on December 17 in the Cabinet Room at the White House for broadcast at 10:06 a.m. on December 18. The transcript was made available by the Office of the Press Secretary on December 17 but was embargoed for release until the broadcast. The Office of the Press Secretary also released a Spanish language transcript of this address.

The President's News Conference

December 20, 2004

The President. Good morning, and happy holidays to you all. I thought I'd come and answer some of your questions. Before I do so, I've got a statement I'd like to make.

We're nearing the end of a year where—of substantial progress at home and here—and abroad. In 2004, the United States grew in prosperity, enhanced our security, and served the cause of freedom and peace. Our duties continue in the new year. I'm optimistic about achieving results. America's economy is on solid footing, growth is strong,